

# HOUSE . . . . . No. 4903

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## The Commonwealth of Massachusetts

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By Mr. Straus of Mattapoisett, for the committee on Environment, Natural Resources and Agriculture, on House, Nos. 854 and 3440, a Bill relative to the reduction of particulate emissions from diesel engines. (House, No. 4903).

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FOR THE COMMITTEE:

NAME:	DISTRICT/ADDRESS:
William M. Straus	10th Bristol

# The Commonwealth of Massachusetts

In the Year Two Thousand and Ten

## An Act RELATIVE TO THE REDUCTION OF PARTICULATE EMISSIONS FROM DIESEL ENGINES.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority  
of the same, as follows:*

Section 1. Chapter 30 of General Laws is hereby amended by adding, after Section 39S,  
the following new section:—

Section 39T. A commission be and the same is hereby created consisting of eleven (11) members  
appointed as follows: two (2) of whom shall be members of the senate appointed by the senate  
president; two (2) of whom shall be members of the house appointed by the speaker of the house;  
one of whom shall be the secretary of transportation or his/her designee; one of whom shall be  
the commissioner of the department of environmental protection or his/her designee; one of  
whom shall be the commissioner of the department of public health or his/her designee; and four  
(4) of whom shall be appointed by the governor, one of whom shall be a representative from an  
environmental advocacy organization, one of whom shall be a representative from a health  
advocacy organization, one of whom shall be a representative from the transportation industry,  
and one of whom shall be a representative of the construction industry.

The commission shall study the impact of and solutions for addressing diesel emission pollution  
from heavy duty diesel vehicles. The commission shall produce a report identifying programs  
the Commonwealth can implement to further reduce diesel pollution levels from the heavy duty  
vehicles used to perform state contracted work. Said report shall be submitted to the governor,  
the senate committee on ways and means, the house committee on ways and means, the joint  
committee on environment, natural resources, and agriculture, and the joint committee on public  
health no later than one (1) year from enactment. The report shall include, but not be limited to,  
findings and recommendations that include the following:

- (1) A summary of the health impacts of diesel emissions from medical, environmental  
and social service publications that have documented studies to support the findings;
- (2) A program to inventory all heavy duty diesel vehicles in the state, including diesel  
trucks and equipment used at ports, shipping terminals or rail yards, and the appropriate  
entity to implement such a program;

- 29 (3) A review of other states in the region that have successfully addressed the impact of  
30 diesel pollution from heavy duty diesel vehicles including any state funded programs  
31 and the entities responsible for participating and implementing these programs;  
32 (4) The appropriate emissions control technology that shall be used on heavy duty  
33 diesel vehicles used in publicly funded state work in order to minimize and decrease the  
34 levels of diesel particulate matter impacting the air quality of Massachusetts. The report  
35 shall include information about the estimated cost of retrofits for specific types of  
36 vehicle applications, the levels of technology currently available for retrofitting  
37 vehicles, and the estimated amount of time required to retrofit a vehicle;  
38 (5) The types of projects that shall require the use of heavy duty diesel vehicles that  
39 meet the U.S. EPA 2007 on-road emission standards or have been retrofitted with the  
40 appropriate emissions control technology. This review shall also consider any bidding  
41 and purchasing rules that would need to be amended in order to properly award  
42 contracts for the specified projects;  
43 (6) The cost and administration of a heavy duty diesel vehicle retrofit program  
44 including the source of funds, the administration of such funds, and how priorities for  
45 retrofitting will be established;  
46 (7) An analysis of any competitive advantages that may or may not be created for  
47 contractors that successfully participate in a retrofit program; and  
48 (8) The reporting requirements necessary to track the number of heavy duty diesel  
49 vehicles in use, the number of retrofits that are achieved under the program, and which  
50 state entity is responsible for reviewing and analyzing such reports.

51  
52 Appointments to the advisory commission shall be made not later than thirty days after the  
53 effective date of this statute. If a vacancy occurs on the commission, the vacancy shall be filled  
54 within thirty days. The commission shall expire upon reporting its findings and  
55 recommendations.

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57 The secretary of transportation or his/her designee shall serve as chairperson of the commission.  
58 The members of the commission shall meet at the call of the commission chairperson. The  
59 meetings of the commission are subject to Chapter 39 of the General Laws.

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61 Members of the commission shall serve without compensation. The members of the commission  
62 representing the department or the general court shall serve without additional compensation.